

JAP:MKM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

12 M 687

- - - - -X

UNITED STATES OF AMERICA

- against -

MARTIN RAFAEL LOPEZ MOLINA,

Defendant.

PRE-ARRAIGNMENT
C O M P L A I N T
(21 U.S.C. §§ 952(a)
and 960)

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EASTERN DISTRICT OF NEW YORK, SS:

KYLER HARDIN, being duly sworn, deposes and says that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about July 19, 2012, within the Eastern District of New York and elsewhere, defendant MARTIN RAFAEL LOPEZ MOLINA did knowingly, intentionally and unlawfully import into the United States from a place outside thereof cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. On July 19, 2012, defendant MARTIN RAFAEL LOPEZ MOLINA arrived at John F. Kennedy International Airport in Queens, New York, aboard Jet Blue Airlines Flight No. 842 from Santiago, Dominican Republic.

2. The defendant MARTIN RAFAEL LOPEZ MOLINA was selected for a Customs and Border Protection ("CBP") examination of his luggage. CBP officers conducted an inspection of the defendant's luggage, which yielded negative results. During his luggage examination, the defendant exhibited nervous behavior, including shaky hands. As a result, CBP officers requested and received approval for a pat down, which also yielded negative results.

3. Upon further questioning, the defendant became more nervous and admitted to ingesting foreign bodies. The defendant was then presented with an x-ray consent form which he read, understood and voluntarily signed.

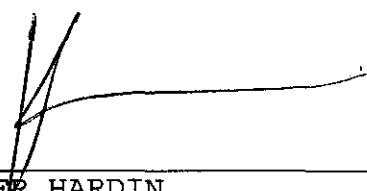
4. The defendant was escorted to a medical facility where an x-ray was performed and revealed foreign bodies in the defendant's digestive tract. The defendant then passed four

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

pellets, the contents of which field-tested positive for the presence of cocaine. The defendant was placed under arrest.

5. Defendant MARTIN RAFAEL LOPEZ MOLINA will be detained in the medical facility until such time as he has passed all the pellets contained within his intestinal tract.

WHEREFORE, your deponent respectfully requests that defendant MARTIN RAFAEL LOPEZ MOLINA be dealt with according to law.



KYLER HARDIN
Special Agent
U.S. Department of Homeland Security
Homeland Security Investigations

Sworn to before me this
20th day of July, 2012

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